

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Tony M. Acklin

Plaintiff,

VS.

David Kostura, et al

Defendant.

Case No. 07-3297

ORDER

On January 28, 2008 , this Court notified plaintiff and plaintiff's counsel that unless good cause is shown for failure to serve defendant as provided under the rules, this action would be dismissed for want of prosecution. Upon review of the docket, there has been no good cause shown and no service of the summons and complaint upon the defendant in this matter.

Therefore,

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure the above entitled case is hereby dismissed without prejudice for want of prosecution.

IT IS SO ORDERED.

Dated: 02/25/2008

Christopher A Boyko

HONORABLE CHRISTOPHER A. BOYKO
UNITED STATES DISTRICT JUDGE

FILED

FEB 26 2008

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND